

S. R. No. 268—(Number not assigned).

S. R. No. 269—By Senator Watson: Memorial resolution for Mrs. J. D. (Lillian) George.

S. R. No. 279 — By Senator Schwartz: Memorial resolution for Orville E. Etheredge.

S. R. No. 280 — By Senator Schwartz: Memorial resolution for The Reverend Oliver C. Brown.

S. R. No. 281 — By Senator Schwartz: Memorial resolution for G. A. (Sonny) Martini.

Welcome and Congratulatory Resolutions

S. R. No. 264—By Senator Watson: Extending congratulations to Frank M. Locke.

S. R. No. 270—By Senator Watson: Extending welcome to Chester Jones.

S. R. No. 271—By Senator Watson: Extending welcome to Robert Hawkins.

S. R. No. 272—By Senator Herring: Extending welcome to teacher and third grade students from Maplewood Elementary School.

S. R. No. 273—By Senator Herring: Extending welcome to teachers and fourth grade students from Becker Elementary School.

S. R. No. 274—By Senator Herring: Extending welcome to teacher and fifth grade students from Barton Hills Elementary School.

S. R. No. 276—By Senator Blanchard: Extending congratulations to Terry County "Outstanding Citizen" Lloyd "Scoop" Hahn.

S. R. No. 277 — By Senator Schwartz: Extending welcome to The Citizens Survival Committee of Brazoria County.

S. R. No. 282—By Senator Word: Extending welcome to principal, teachers, students and parents of Education Service Center of Lampasas.

Adjournment

The President announced at the

conclusion of the Joint Session that the Senate at 11:59 o'clock a.m. would stand adjourned until 10:00 o'clock a.m. tomorrow on motion previously adopted in the Senate.

EIGHTEENTH DAY

(Wednesday, February 10, 1971)

The Senate met at 10:00 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Creighton	Schwartz
Grover	Sherman
Hall	Snelson
Harrington	Wallace
Harris	Watson
Herring	Wilson
Hightower	Word

Absent—Excused

Connally

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Leave of Absence

Senator Connally was granted leave of absence for today and the remainder of the week on account of important business on motion of Senator Hightower.

Reports of Standing Committees

Senator Aikin submitted the following report for the Committee on Finance:

H. B. No. 213.

Senator Herring submitted the fol-

lowing reports for the Committee on Jurisprudence:

S. B. No. 116 (Amended).

S. B. No. 216 (Amended).

S. B. No. 168.

C. S. S. B. No. 94 (Read first time).

Senator Kennard submitted the following report for the Committee on Public Health:

S. B. No. 142 (Amended).

Message From the House

Hall of the House of Representatives
Austin, Texas,
February 10, 1971.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. B. No. 2, A bill to be entitled "An Act changing the name of Pan American College to Pan American University; and declaring an emergency."

Respectfully submitted,
DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Senate Bills and Resolution on First Reading

The following bills and resolution were introduced, read first time and referred to the Committee indicated:

By Senator Herring:

S. B. No. 278, A bill to be entitled "An Act relating to the establishment, maintenance, support, and administration of The University of Texas System Environmental Science Park; providing for severability; and declaring an emergency."

To Committee on Education.

By Senator Mauzy:

S. B. No. 279, A bill to be entitled "An Act relating to time spent as a justice of the peace or judge on certain courts to be credited as judicial service for purposes of retirement under certain circumstances; amending Chapter 99, Acts of the 51st Legislature, Regular Session, 1949, as amended (Article 6228b, Vernon's

Texas Civil Statutes), by adding a Section 2C; and declaring an emergency."

To Committee on Jurisprudence.

By Senator Mauzy:

S. B. No. 280, A bill to be entitled "An Act amending Chapter 292, Acts of the 61st Legislature, Regular Session, 1969 (Codified in Article 6252-19, Vernon's Annotated Civil Statutes), known as the Texas Tort Claim Act, relating to the waiver of governmental immunity by units of government to the extent of liability or indemnity insurance purchased; and declaring an emergency."

To Committee on Jurisprudence.

By Senator Mauzy:

S. B. No. 281, A bill to be entitled "An Act amending Section 12, Chapter 292, Acts of the 61st Legislature, Regular Session, 1969 (codified in Article 6252-19, Vernon's Annotated Civil Statutes), known as the Texas Tort Claim Act, relating to making remedies against units of government exclusive in certain cases; and declaring an emergency."

To Committee on Jurisprudence.

By Senator Mauzy:

S. B. No. 282, A bill to be entitled "An Act prohibiting the engaging in certain disruptive activities or disrupting a lawful assembly on the campus or property of private or public schools or institutions of higher education or public vocational and technical schools or institutes; prescribing certain penalties; and declaring an emergency."

To Committee on Education.

By Senator Mauzy:

S. B. No. 283, A bill to be entitled "An Act relating to discrimination by certain cities in deducting membership dues from employee payroll and in implementing policy concerning membership dues and administrative fees; adding Subsection (e) to Section 1, Chapter 161, Acts of the 60th Legislature, Regular Session, 1967 (Article 6252-3a, Vernon's Texas Civil Statutes); and declaring an emergency."

To Committee on County, District and Urban Affairs.

By Senator Mauzy:

S. B. No. 284, A bill to be entitled

"An Act amending Section 11, Chapter 292, Acts of the 61st Legislature, Regular Session, 1969 (codified in Article 6252-19, Vernon's Annotated Civil Statutes), known as the Texas Tort Claim Act, providing for the collection of certain judgments from the General Revenue Fund of the State of Texas; and declaring an emergency."

To Committee on Jurisprudence.

By Senator Mauzy:

S. B. No. 285, A bill to be entitled "An Act amending Sections 33 and 35 of the Texas Motor Vehicle Safety-Responsibility Act, Acts, 1951, 52nd Legislature, Chapter 498, page 1210 (Sections 33 and 35, Article 6701h, Vernon's Annotated Texas Statutes); authorizing motor bus companies and motor carriers to purchase, through an assigned risk plan, insurance required by Articles 911a (Section 11) and 911b (Section 13) of the Revised Civil Statutes of Texas and by regulations of the Railroad Commission of the State of Texas; prescribing a severability clause; and declaring an emergency."

To Committee on Insurance.

By Senator Herring:

S. B. No. 286, A bill to be entitled "An Act including within the definition of peace officers in the Code of Criminal Procedure police officers of state-supported institutions of higher education, including public junior colleges, who have been commissioned pursuant to statute, and police officers employed by the State Board of Control, who have been commissioned pursuant to statute; amending Article 2.12, Texas Code of Criminal Procedure, 1965, as amended; and declaring an emergency."

To Committee on Jurisprudence.

By Senator Mauzy:

S. B. No. 287, A bill to be entitled "An Act relating to the practice of barbering and the regulation of barbers in this State; amending Chapter 287, Acts of the 57th Legislature, Regular Session, 1961 (Section 9, Article 734a, Vernon's Texas Penal Code, 1925), as amended; amending Section 2, Chapter 746, Acts of the 60th Legislature, Regular Session, 1967 (Section 3, Article 734a, Vernon's Texas Penal Code), as amended; amending Section 13, Chapter 65, Acts of the

41st Legislature, First Called Session, 1929 (Section 13, Article 734a, Vernon's Texas Penal Code, 1925), as amended; amending Section 7, Chapter 746, Acts of the 60th Legislature, Regular Session, 1967 (Section 14, Article 734a, Vernon's Texas Penal Code), as amended; defining terms; providing additional standards and regulations; providing a repealing clause; providing for severability; and declaring an emergency."

To Committee on State Departments and Institutions.

By Senator Bates:

S. B. No. 288, A bill to be entitled "An Act authorizing certain types of property defined therein as 'Urban Property,' situated within, and subject to taxation by, certain types of water control and improvement districts, described in the Act, now existing or hereafter to be created, to be excluded from such districts by proceedings and upon conditions prescribed in the Act; and declaring an emergency."

To Committee on County, District and Urban Affairs.

By Senator Jordan:

S. B. No. 289, A bill to be entitled "An Act creating and establishing a Department of Labor of the State of Texas and transferring to that Department duties and functions of the Bureau of Labor Statistics and its Commissioner, and making provisions for the assumption of such duties and responsibilities by the Commissioner of the Department, and creating divisions within the Department to administer and enforce existing laws as specified, transferring certain powers, duties and functions heretofore vested in the Commissioner of the Bureau of Labor Statistics by Article 5677, 5678 and 5679 to the Commissioner of Agriculture; repealing conflicting laws; providing severability; establishing an effective date of the Act; and declaring an emergency."

To Committee on Labor and Management Relations.

By Senators Kothmann and Bernal:

S. C. R. No. 20, Granting College of The Guadalupe Baptist Association permission to sue the State of Texas.

To Committee on Jurisprudence.

By Senators Hightower, Hall, Jordan and Harris:

S. B. No. 290, A bill to be entitled "An Act creating a State Commission for the Deaf and prescribing its powers and duties; and declaring an emergency."

To Committee on State Affairs.

By Senator Brooks:

S. B. No. 291, A bill to be entitled "An Act relating to licensing and certifying environmental air conditioning and ventilating contractors, inspectors, and journeymen; creating an examining board; providing rules and regulations; providing penalties; and declaring an emergency."

To Committee on State Affairs.

By Senators Hightower, Jordan, Watson, Hall and Harris:

S. B. No. 292, A bill to be entitled "An Act relating to the travel and clothing expenses of economically deprived children attending the Texas School for the Deaf; and declaring an emergency."

To Committee on Education.

By Senators Hightower, Watson, Jordan, Harris and Hall:

S. B. No. 293, A bill to be entitled "An Act requiring the Texas School for the Deaf to remain open and hold classes for 12 months of the year; and declaring an emergency."

To Committee on Education.

By Senators Hightower, Watson, Jordan, Harris and Hall:

S. B. No. 294, A bill to be entitled "An Act relating to a program for the education of deaf adults; amending Subchapter A, Chapter 11, Texas Education Code by adding a Section 11.16; and declaring an emergency."

To Committee on Education.

By Senators Hightower, Watson, Jordan and Harris:

S. B. No. 295, A bill to be entitled "An Act relating to countywide and two-county special day schools for the deaf and to the preschool program for children with hearing loss; amending Subsection (c), Section 11.09, and Subsections (d), (e), and (i), Section 11.10, Texas Education Code; and declaring an emergency."

To Committee on Education.

By Senators Hightower, Watson, Jordan, Harris and Hall:

S. B. No. 296, A bill to be entitled "An Act relating to supplements to the salaries of certain teachers of exceptional children; amending Subchapter D, Chapter 16, Texas Education Code, by adding Section 16.351; and declaring an emergency."

To Committee on Education.

By Senators Hightower, Watson, Jordan, Harris and Hall:

S. B. No. 297, A bill to be entitled "An Act requiring a physician to test a newborn baby for hearing defects and to make a full report to the State Department of Health, exempting a physician from civil and criminal liability for reporting a hearing defect when none existed; and declaring an emergency."

To Committee on Public Health.

By Senators Hightower, Watson, Jordan, Harris and Hall:

S. B. No. 298, A bill to be entitled "An Act relating to the exemption of certain teachers of the deaf and severely hard of hearing from the requirement of having secured credit in a course emphasizing the Texas Constitution in order to receive a Texas teaching certificate; amending Subsection (b), Section 13.12, Texas Education Code; and declaring an emergency."

To Committee on Education.

By Senators Hightower, Watson, Jordan, Harris and Hall:

S. B. No. 299, A bill to be entitled "An Act prohibiting state colleges and universities from placing limitations on the size of special education classes; and declaring an emergency."

To Committee on Education.

By Senators Hightower, Watson, Jordan, Harris and Hall:

S. B. No. 300, A bill to be entitled "An Act creating the North Central Texas School for the Deaf and the Southeast Texas School for the Deaf and providing for their administration and control by the State Board of Education; and declaring an emergency."

To Committee on Education.

By Senators Hightower, Watson, Jordan, Harris and Hall:

S. B. No. 301, A bill to be entitled "An Act relating to the penalty for peddling certain cards or other printed matter by deaf or mute persons; amending Section 1, Chapter 487, Acts of the 56th Legislature, Regular Session, 1959 (Article 1137n, Vernon's Texas Penal Code); and declaring an emergency."

To Committee on Jurisprudence.

By Senators Hightower and Kennard:

S. B. No. 302, A bill to be entitled "An Act authorizing the Texas Parks and Wildlife Commission to locate and designate outstanding natural features or formations with markers or monuments; authorizing the Commission to accept title to suitable sites by gift or to acquire sites by purchase with appropriated funds; authorizing the Commission to promulgate reasonable rules; directing the cooperation of other State agencies; authorizing an interagency transfer of jurisdiction to State-owned sites; and declaring an emergency."

To Committee on Parks and Wildlife.

By Senators Harrington and Bernal:

S. B. No. 303, A bill to be entitled "An Act to declare and prescribe rights, duties and obligations of public employers and some public employees and their representatives in matters of collective bargaining; to create a state labor relations board and provide for its jurisdiction, power, authority and functions; to make related provisions designed to effectuate the purposes of the Act; to provide severability, precedence over contrary laws and an effective date; and to declare an emergency."

To Committee on Labor and Management Relations.

By Senators Moore, Jordan, Wallace, Harris and Bernal:

S. B. No. 304, A bill to be entitled "An Act relating to certain consumer and other credit transactions and constituting the uniform consumer credit code; consolidating and revising certain aspects of the law relating to consumer and other loans, consumer and other sales of goods, services and interests in land, and consumer leases; revising the law relating to usury; regulating certain practices

relating to insurance in consumer credit transactions; providing for administrative regulation of certain consumer credit transactions; making uniform the law with respect thereto; repealing Chapter 274, Acts of the 60th Legislature, Regular Session, 1967, as amended, and other inconsistent legislation; and declaring an emergency."

To Committee on State Affairs.

By Senator Moore:

S. B. No. 305, A bill to be entitled "An Act relating to the reorganization of the State Department of Public Welfare under the name of State Department of Human Resources and creating the Advisory Board on Human Resources; amending Sections 1, 2, and 3, Chapter 1, General Laws, page 544, Acts of the 46th Legislature, Regular Session, 1939, as amended (Article 695c, Vernon's Texas Civil Statutes), and adding Section 3-A; and declaring an emergency."

To Committee on State Affairs.

House Bills on First Reading

The following bills received from the House, were read the first time and referred to the Committees indicated:

H. B. No. 224, To Committee on Transportation.

H. B. No. 115, To Committee on Transportation.

Communication From Legislative Audit Committee

The following communication received from the Legislative Audit Committee was read and was referred to the Committee on Nominations:

Austin, Texas,
February 8, 1971.

To the Senate of the Sixty-second Legislature, Regular Session:

We ask the advice, consent and confirmation of the Senate with respect to the appointment by this Committee of George W. McNeil of Austin, Travis County, to be State Auditor of Texas for the term expiring February 15, 1973.

Such appointment on this date is hereby certified under the provisions

of Senate Bill No. 27 as passed by the Forty-eighth Legislature.

Respectfully submitted,
LEGISLATIVE AUDIT
COMMITTEE

Attest:

BARNES
Lieutenant Governor

AIKIN
Chairman of the Senate
Committee on Finance

MOORE
Chairman of the Senate
Committee on State
Affairs

MUTSCHER
Speaker of the House of
Representatives

HEATLY
Chairman of the House
Committee on
Appropriations

ATWELL
Chairman of the House
Committee on Revenue
and Taxation

Messages From the Governor

The following messages received from the Governor were read and were referred to the Committee on Nominations:

Austin, Texas,
February 9, 1971.

To the Senate of the Sixty-second Legislature:

I ask the advice, consent, and confirmation of the Senate with respect to the following appointments:

To be Members of the Antiquities Committee: For two-year terms to expire January 19, 1973: Denver Fred Wendorf, Ph.D., of Dallas, Dallas County; William Curry Holden, Ph.D., of Lubbock, Lubbock County; William W. Newcomb, Jr., Ph.D., of Austin, Travis County.

(The three above-named individuals are being reappointed to the Committee.)

Respectfully submitted,
PRESTON SMITH,
Governor of Texas

Austin, Texas,
February 9, 1971.

To the Senate of the Sixty-second Legislature:

I ask the advice, consent, and confirmation of the Senate with respect to the following appointments:

To be Members of the Texas Conservation Foundation: For six-year terms to expire January 31, 1977: Elo J. Urbanovsky of Lubbock, Lubbock County; Luke Hagood of Junction, Kimble County. Mr. Hagood is being appointed to replace Reagan Behrman Cates, of Victoria, Victoria County, whose term has expired; Gene Ray Hendryx of Alpine, Brewster County.

Respectfully submitted,
PRESTON SMITH,
Governor of Texas

Austin, Texas,
February 9, 1971.

To the Senate of the Sixty-second Legislature:

I ask the advice, consent, and confirmation of the Senate with respect to the following appointment:

To be Branch Pilot on the Houston Ship Channel and Galveston Bar for the Port of Houston: For a four-year term beginning January 18, 1971, and ending January 17, 1975: Captain J. E. McNary of Channelview, Harris County.

Respectfully submitted,
PRESTON SMITH,
Governor of Texas.

Austin, Texas,
February 9, 1971.

To the Senate of the Sixty-second Legislature:

I ask the advice, consent, and confirmation of the Senate with respect to the following appointment:

To be a Member of the Board of Directors of the San Antonio River Authority: To fill the unexpired term of E. W. Schneider of Poth, Wilson County, resigned, term to expire January 1, 1973: Edwin A. Flieller of Floresville, Wilson County.

Respectfully submitted,
PRESTON SMITH,
Governor of Texas.

Austin, Texas,
February 9, 1971.

To the Senate of the Sixty-second
Legislature:

I ask the advice, consent, and con-
firmation of the Senate with respect
to the following appointment:

To be District Attorney of the 34th
Judicial District, until the next Gen-
eral Election and until his successor
shall be duly elected and qualified:
Stephen Willis Simmons of El Paso,
El Paso County.

Respectfully submitted,
PRESTON SMITH,
Governor of Texas.

**Committee Substitute
Senate Bill 256 on Second Reading**

Senator Aikin moved that Senate
Rules 13 and 110 be suspended and
that C. S. S. B. No. 256 be taken up
for consideration at this time.

The motion prevailed.

The President laid before the Sen-
ate on its second reading and passage
to engrossment:

C. S. S. B. No. 256, A bill to be en-
titled "An Act relating to allocations
of certain funds out of the Omnibus
Tax Clearance Fund; amending Sec-
tion 3, Chapter 3, Acts of the 57th
Legislature, 2nd Called Session, 1961
(Article 7083a.2, Vernon's Texas Civil
Statutes), and Section 2, Article XX,
Chapter 184, Acts of the 47th Legis-
lature, Regular Session, 1941, as
amended (Article 7083a, Vernon's
Texas Civil Statutes); and declaring
an emergency."

The bill was read second time and
was passed to engrossment.

**Committee Substitute
Senate Bill 256 on Third Reading**

Senator Aikin moved that the Con-
stitutional Rule and Senate Rule 30
requiring bills to be read on three
several days be suspended and that
C. S. S. B. No. 256 be placed on its
third reading and final passage.

The motion prevailed by the follow-
ing vote:

Yeas—25

Aikin	Beckworth
Bates	Bernal

Blanchard	Mauzy
Christie	McKool
Creighton	Moore
Grover	Ratliff
Hall	Schwartz
Harrington	Sherman
Harris	Snelson
Herring	Watson
Hightower	Wilson
Jordan	Word
Kothmann	

Nays—3

Brooks	Wallace
Patman	

Absent

Bridges	Kennard
---------	---------

Absent—Excused

Connally

The President then laid the bill be-
fore the Senate on its third reading
and final passage.

The bill was read third time and
was passed by the following vote:

Yeas—25

Aikin	Jordan
Bates	Kothmann
Beckworth	Mauzy
Bernal	McKool
Blanchard	Moore
Christie	Ratliff
Creighton	Schwartz
Grover	Sherman
Hall	Snelson
Harrington	Watson
Harris	Wilson
Herring	Word
Hightower	

Nays—3

Brooks	Wallace
Patman	

Absent

Bridges	Kennard
---------	---------

Absent—Excused

Connally

Senate Bill 12 on Second Reading

Senator Aikin moved that Senate
Rules 13 and 110 be suspended and
that S. B. No. 12 be taken up for
consideration at this time.

The motion prevailed.

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 12, A bill to be entitled "An Act amending the following numbered sections and subsections of Chapter 470, Acts of the Regular Session of the 45th Legislature of Texas (establishing and regulating the Teacher Retirement System of Texas), as heretofore amended and recompiled by Chapter 41, Acts of the Regular Session of the 61st Legislature, etc.; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 12 on Third Reading

Senator Aikin moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that S. B. No. 12 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Creighton	Schwartz
Grover	Sherman
Hall	Snelson
Harrington	Wallace
Harris	Watson
Herring	Wilson
Hightower	Word

Absent—Excused

Connally

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Beckworth
Bates	Bernal

Blanchard	Kothmann
Bridges	Mauzy
Brooks	McKool
Christie	Moore
Creighton	Patman
Grover	Ratliff
Hall	Schwartz
Harrington	Sherman
Harris	Snelson
Herring	Wallace
Hightower	Watson
Jordan	Wilson
Kennard	Word

Absent—Excused

Connally

Resolution Signed

The President signed in the presence of the Senate after the caption had been read the following enrolled resolution:

H. C. R. No. 34.

Senate Bill 245 on Second Reading

Senator Moore moved that Senate Rules 13 and 110 be suspended and that S. B. No. 245 be taken up for consideration at this time.

The motion prevailed.

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 245, A bill to be entitled "An Act requiring every county, and all cities with a population of 10,000 or more, to establish a uniform system of accounting and record maintenance in connection with expenditures by the county or city for all forms of welfare assistance or medically needy programs; etc.; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 245 on Third Reading

Senator Moore moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that S. B. No. 245 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Beckworth
Bates	Bernal

Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Creighton	Ratliff
Grover	Schwartz
Harrington	Sherman
Harris	Snelson
Herring	Wallace
Hightower	Watson
Jordan	Wilson
Kennard	Word
Kothmann	

Nays—1

Hall

Absent—Excused

Connally

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin	Kennard
Bates	Kothmann
Beckworth	Mauzy
Bernal	McKool
Blanchard	Moore
Bridges	Patman
Brooks	Ratliff
Christie	Schwartz
Creighton	Sherman
Grover	Snelson
Harrington	Wallace
Harris	Watson
Herring	Wilson
Hightower	Word
Jordan	

Nays—1

Hall

Absent—Excused

Connally

Senate Concurrent Resolution 21

Senator Aikin offered the following resolution:

S. C. R. No. 21, Providing for an Interim Committee of the Legislature to Study the Teacher Retirement System of Texas.

The resolution was read and was referred to the Committee on Education.

Senate Bill 21 on Second Reading

Senator Blanchard moved that Senate Rules 13 and 110 be suspended and that S. B. No. 21 be taken up for consideration at this time.

The motion prevailed.

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 21, A bill to be entitled "An Act authorizing the transfer of certain land from Texas Tech University to Texas Tech University School of Medicine; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 21 on Third Reading

Senator Blanchard moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that S. B. No. 21 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Kennard
Bates	Kothmann
Beckworth	Mauzy
Bernal	McKool
Blanchard	Moore
Bridges	Patman
Brooks	Ratliff
Creighton	Schwartz
Grover	Sherman
Hall	Snelson
Harrington	Wallace
Harris	Watson
Herring	Wilson
Hightower	Word
Jordan	

Nays—1

Christie

Absent—Excused

Connally

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin	Kennard
Bates	Kothmann
Beckworth	Mauzy
Bernal	McKool
Blanchard	Moore
Bridges	Patman
Brooks	Ratliff
Creighton	Schwartz
Grover	Sherman
Hall	Snelson
Harrington	Wallace
Harris	Watson
Herring	Wilson
Hightower	Word
Jordan	

Nays—1

Christie

Absent—Excused

Connally

Senate Bill 235 on Second Reading

Senator Schwartz moved that Senate Rules 13 and 110 be suspended and that S. B. No. 235 be taken up for consideration at this time.

The motion prevailed.

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 235, A bill to be entitled "An Act amending Statutes relating to home-rule cities, park boards of trustees and parks; adding provisions thereto relating to acquisition, improvement or enlargement of lands or buildings for parks, playgrounds or historical museums, etc.; and declaring an emergency."

The bill was read second time and was passed to engrossment.

(President Pro Tempore in Chair.)

Senate Bill 235 on Third Reading

Senator Schwartz moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that S. B. No. 235 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Creighton	Schwartz
Grover	Sherman
Hall	Snelson
Harrington	Wallace
Harris	Watson
Herring	Wilson
Hightower	Word

Absent—Excused

Connally

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Creighton	Schwartz
Grover	Sherman
Hall	Snelson
Harrington	Wallace
Harris	Watson
Herring	Wilson
Hightower	Word

Absent—Excused

Connally

Committee Substitute Senate Bill 128 on Second Reading

Senator Mauzy moved that Senate Rules 13 and 110 be suspended and that C. S. S. B. No. 128 be taken up for consideration at this time.

The motion prevailed.

The President Pro Tempore laid before the Senate on its second reading and passage to engrossment:

C. S. S. B. No. 128, A bill to be entitled "An Act authorizing the

Board of Regents of The University of Texas System to acquire by purchase, exchange, gift, or otherwise certain properties to be used for campus expansion and university purposes in The University of Texas System; vesting title in the Board of Regents of The University of Texas System; repealing Subdivision 2 of Section 1 of Chapter 73, Acts of the 60th Legislature, Regular Session, 1967, relating to the acquisition of land in Dallas County, Texas, by the Board of Regents of The University of Texas System; providing that this Act shall be cumulative; providing for severability; repealing all laws in conflict; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Joint Resolution 12 on Second Reading

Senator McKool moved that Senate Rules 13 and 110 be suspended and that S. J. R. No. 12 be taken up for consideration at this time.

The motion prevailed.

The President Pro Tempore laid before the Senate on its second reading and passage to engrossment:

S. J. R. No. 12, Proposing a constitutional amendment to provide for an orderly transition in the office of the governor by authorizing certain funds to be appropriated for the use of a new governor-elect.

The resolution was read second time and was passed to engrossment.

Senate Joint Resolution 12 on Third Reading

Senator McKool moved that the Constitutional Rule and Senate Rule 30 requiring resolutions to be read on three several days be suspended and that S. J. R. No. 12 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Aikin	Creighton
Bates	Grover
Beckworth	Hall
Bernal	Harrington
Blanchard	Harris
Bridges	Herring
Christie	Hightower

Kothmann	Sherman
Mauzy	Snelson
McKool	Wallace
Moore	Watson
Patman	Wilson
Ratliff	Word
Schwartz	

Nays—3

Brooks	Kennard
Jordan	

Absent—Excused

Connally

The President Pro Tempore then laid the resolution before the Senate on its third reading and final passage.

The resolution was read third time and was passed by the following vote:

Yeas—27

Aikin	Kothmann
Bates	Mauzy
Beckworth	McKool
Bernal	Moore
Blanchard	Patman
Bridges	Ratliff
Christie	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word
Hightower	

Nays—3

Brooks	Kennard
Jordan	

Absent—Excused

Connally

Senate Bill 185 on Second Reading

Senator Watson moved that Senate Rules 13 and 110 be suspended and that S. B. No. 185 be taken up for consideration at this time.

The motion prevailed.

The President Pro Tempore laid before the Senate on its second reading and passage to engrossment:

S. B. No. 185, A bill to be entitled "An Act relating to the change of the name of the Commission for Rehabil-

itation; etc.; and declaring an emergency."

The bill was read second time.

Senator Watson offered the following amendment to the bill:

Amend S. B. 185, by striking out the following:

"Article 2675-1" and substitute in lieu thereof the following:

"Article 2675L" wherever it may appear in the bill.

The amendment was read and was adopted.

On motion of Senator Watson, and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

Senate Bill 185 on Third Reading

Senator Watson moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that S. B. No. 185 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Creighton	Schwartz
Grover	Sherman
Hall	Snelson
Harrington	Wallace
Harris	Watson
Herring	Wilson
Hightower	Word

Absent—Excused

Connally

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Creighton	Schwartz
Grover	Sherman
Hall	Snelson
Harrington	Wallace
Harris	Watson
Herring	Wilson
Hightower	Word

Absent—Excused

Connally

Senate Bill 184 on Second Reading

Senator Watson moved that Senate Rules 13 and 110 be suspended and that S. B. No. 184 be taken up for consideration at this time.

The motion prevailed.

The President Pro Tempore laid before the Senate on its second reading and passage to engrossment:

S. B. No. 184, A bill to be entitled "An Act relating to the accumulated vacation and sick leave and payment to estates of employee; etc., and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 184 on Third Reading

Senator Watson moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that S. B. No. 184 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Grover
Bates	Hall
Beckworth	Harrington
Bernal	Harris
Blanchard	Herring
Bridges	Hightower
Brooks	Jordan
Christie	Kennard
Creighton	Kothmann

Mauzy	Sherman
McKool	Snelson
Moore	Wallace
Patman	Watson
Ratliff	Wilson
Schwartz	Word

Absent—Excused

Connally

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Creighton	Schwartz
Grover	Sherman
Hall	Snelson
Harrington	Wallace
Harris	Watson
Herring	Wilson
Hightower	Word

Absent—Excused

Connally

Co-authors of Senate Bill 304

On motion of Senator Moore and by unanimous consent, Senators Jordan, Wallace, Harris and Bernal will be shown as Co-authors of S. B. No. 304.

Co-author of Senate Joint Resolution 4

On motion of Senator Brooks and by unanimous consent, Senator Kothmann will be shown as Co-author of S. J. R. No. 4.

Senate Bill 42 on Second Reading

Senator Moore moved that Senate Rules 13 and 110 be suspended and that S. B. No. 42 be taken up for consideration at this time.

The motion prevailed.

The President Pro Tempore laid before the Senate on its second reading and passage to engrossment:

S. B. No. 42, A bill to be entitled "An Act amending Statutes; providing for assistance payments by the State of Texas to the surviving spouse and minor children of campus security personnel commissioned as peace officers who suffer violent death in the course of the performance of their duties; and declaring an emergency."

The bill was read second time.

Senator Moore offered the following Committee Amendment to the bill:

Amend Sec. 1, on page 1, at line 27, by striking out line 27 completely, and by substituting the following words:

"enforcement officers, campus security personnel, members of organized police reserve or aux-"

Amend Sec. 1, on page 1, at line 39, by striking out line 39 completely and by substituting the following words:

"duties as paid law enforcement officers, campus security personnel, members of organized".

The Committee Amendment was read and was adopted.

On motion of Senator Moore and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

Senate Bill 42 on Third Reading

Senator Moore moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that S. B. No. 42 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Creighton
Bates	Grover
Beckworth	Hall
Bernal	Harrington
Blanchard	Harris
Bridges	Herring
Brooks	Hightower
Christie	Jordan

Kennard	Schwartz
Kothmann	Sherman
Mauzy	Snelson
McKool	Wallace
Moore	Watson
Patman	Wilson
Ratliff	Word

Absent—Excused

Connally

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Creighton	Schwartz
Grover	Sherman
Hall	Snelson
Harrington	Wallace
Harris	Watson
Herring	Wilson
Hightower	Word

Absent—Excused

Connally

Senate Bill 73 on Second Reading

Senator Schwartz moved that Senate Rules 13 and 110 be suspended and that S. B. No. 73 be taken up for consideration at this time.

The motion prevailed.

The President Pro Tempore laid before the Senate on its second reading and passage to engrossment:

S. B. No. 73, A bill to be entitled "An Act relating to the official shorthand reporters of the 10th, 56th, and 122nd Judicial Districts of Texas; reenacting and amending Acts of the 55th Legislature, 2nd Called Session, 1957, Chapter 12, by fixing the maximum and minimum salary and method of determining same, and by fixing the fee for transcript; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 73 on Third Reading

Senator Schwartz moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that S. B. No. 73 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Creighton	Schwartz
Grover	Sherman
Hall	Snelson
Harrington	Wallace
Harris	Watson
Herring	Wilson
Hightower	Word

Absent—Excused

Connally

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Creighton	Schwartz
Grover	Sherman
Hall	Snelson
Harrington	Wallace
Harris	Watson
Herring	Wilson
Hightower	Word

Absent—Excused

Connally

Senate Bill 40 on Second Reading

Senator Brooks moved that Senate Rules 13 and 110 be suspended and that S. B. No. 40 be taken up for consideration at this time.

The motion prevailed.

The President Pro Tempore laid before the Senate on its second reading and passage to engrossment:

S. B. No. 40, A bill to be entitled "An Act providing for the compensation to District Attorneys in certain counties; prohibiting their engaging in the private practice of law; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 40 on Third Reading

Senator Brooks moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that S. B. No. 40 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Creighton	Schwartz
Grover	Sherman
Hall	Snelson
Harrington	Wallace
Harris	Watson
Herring	Wilson
Hightower	Word

Absent—Excused

Connally

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Bernal
Bates	Blanchard
Beckworth	Bridges

Brooks	Mauzy
Christie	McKool
Creighton	Moore
Grover	Patman
Hall	Ratliff
Harrington	Schwartz
Harris	Sherman
Herring	Snelson
Hightower	Wallace
Jordan	Watson
Kennard	Wilson
Kothmann	Word

Absent—Excused

Connally

Senate Bill 52 on Second Reading

Senator Schwartz moved that Senate Rules 13 and 110 be suspended and that S. B. No. 52 be taken up for consideration at this time.

The motion prevailed.

The President Pro Tempore laid before the Senate on its second reading and passage to engrossment:

S. B. No. 52, A bill to be entitled "An Act to amend Statutes to provide for the appointment of the first Board of Directors of the District; to change the terms of office of the District Directors; to provide that the District has the power to construct and maintain seawalls and breakwaters; etc.; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 52 on Third Reading

Senator Schwartz moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that S. B. No. 52 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Harrington
Bates	Harris
Beckworth	Herring
Bernal	Hightower
Blanchard	Jordan
Bridges	Kennard
Brooks	Kothmann
Christie	Mauzy
Creighton	McKool
Grover	Moore
Hall	Patman

Ratliff	Wallace
Schwartz	Watson
Sherman	Wilson
Snelson	Word

Absent—Excused

Connally

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Message From the House

Hall of the House of Representatives
Austin, Texas,
February 10, 1971.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. C. R. No. 35, Recognizing National Negro History Week.

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Memorial Resolutions

S. R. No. 285—By Senator Blanchard: Memorial resolution for Mrs. Granville (Betty) Porter.

S. R. No. 286—By Senator Snelson: Memorial resolution for Hal C. Peck.

S. R. No. 287—By Senator Snelson: Memorial resolution for Glenn Jenkins.

S. R. No. 291—By Senator Hightower: Memorial resolution for Major Paul E. Leary, Jr.

S. R. No. 294—By Senator Watson: Memorial resolution for Dock Watson Collins.

S. R. No. 295—By Senator Watson: Memorial resolution for Mrs. Robert DeLeon.

S. R. No. 296—By Senator Watson: Memorial resolution for Milton S. Sturdivant.

S. R. No. 297—By Senator Watson: Memorial resolution for Gene Pardo.

S. R. No. 298—By Senator Watson: Memorial resolution for Mrs. Emily Pieper.

S. R. No. 299—By Senator Watson: Memorial resolution for J. Fred Williams.

S. R. No. 300—By Senator Watson: Memorial resolution for J. Barney Burch.

S. R. No. 301—By Senator Watson: Memorial resolution for Dr. William Coleman Harrison.

S. R. No. 302—By Senator Watson: Memorial resolution for John H. Reynolds.

Welcome and Congratulatory Resolutions

S. R. No. 283—By Senator Kennard: Extending welcome to teachers and students from Arlington Heights High School, Fort Worth.

S. R. No. 284—By Senator Snelson: Extending congratulations to Sonora High School Class A Schoolboy Football Championship team.

S. R. No. 288—By Senator Harrington: Extending commendation to City of Port Arthur, finalist in "All-America City" competition.

S. R. No. 289—By Senator Watson: Extending welcome to Bill Lewie.

S. R. No. 290—By Senator Watson: Extending welcome to Tom Cameron and Coke Mills.

S. R. No. 292—By Senator Herring: Extending welcome to Bastrop Republican Women's Federation.

S. R. No. 293—By Senator Herring: Extending welcome to class from Texas School for the Blind.

S. R. No. 303—By Senator Herring: Extending welcome to teacher and fifth grade class from Barton Hills School.

S. R. No. 304—By Senator Herring: Extending welcome to teachers and seventh grade class from Georgetown Junior High School.

S. R. No. 305—By Senator Aikin: Extending welcome to Honorable Mack Edwards.

S. R. No. 306—By Senator Watson: Extending welcome to O. F. Jones, Jr.

Adjournment

On motion of Senator Aikin the Senate at 11:55 o'clock a.m. adjourned until 11:00 o'clock a.m. tomorrow.

NINETEENTH DAY

(Thursday, February 11, 1971)

The Senate met at 11:00 o'clock a.m., pursuant to adjournment, and was called to order by the President Pro Tempore.

The roll was called and the following Senators were present:

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Bridges	McKool
Brooks	Patman
Christie	Ratliff
Grover	Schwartz
Harrington	Sherman
Harris	Wallace
Herring	Watson
Hightower	Wilson

Absent—Excused

Blanchard	Moore
Connally	Snelson
Creighton	Word
Hall	

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Leaves of Absence

Senator Moore was granted leave of absence for today on account of important business on motion of Senator Aikin.

Senator Word was granted leave of absence for today on account of important business on motion of Senator Aikin.

Senator Hall was granted leave of absence for today on account of important business on motion of Senator Aikin.

Senator Creighton was granted leave of absence for today on account of important business on motion of Senator Aikin.

Senator Blanchard was granted leave of absence for today on account of important business on motion of Senator Aikin.

Senator Snelson was granted leave of absence for today on account of important business on motion of Senator Aikin.

Message From the House

Hall of the House of Representatives
Austin, Texas,
February 11, 1971.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. C. R. No. 36, Congratulating Astronauts Alan B. Shepard, Jr., Edgar D. Mitchell, and Stuart A. Roosa.

H. B. No. 278, A bill to be entitled "An Act establishing the Higher Education Facilities Bond Program of 1971; amending Section 1, Chapter 763, Acts of the 61st Legislature, Regular Session, 1969 (Article 2909c-3, Vernon's Annotated Civil Statutes of Texas); clarifying the institutions for which revenue bonds can be issued pursuant to preexisting law to include specifically medical, dental, biomedical, and other institutions; authorizing the Board of Regents of Texas Tech University (acting separately and independently for and on behalf of Texas Tech University and separately and independently for and on behalf of the Texas Tech University School of Medicine at Lubbock) and the Board of Regents of The University of Texas System each to issue revenue bonds and to pledge to the payment of such bonds certain student tuition charges, for the purpose of providing funds for the acquisition, purchase, construction, improvement, enlargement, and/or equipping of property, buildings, structures, and facilities for certain designated institutions of higher education; providing that this Act is cumulative of other laws on the subject; providing for severability; and declaring an emergency."